

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

DONNIE ZIMMERMAN,

Plaintiff,

-vs-

KILOLO KIJAKAZI, Acting  
Commissioner of the Social Security  
Administration,

Defendant.

Case No. CIV-21-601-F

**ORDER**

Plaintiff, Donnie Zimmerman, commenced this action seeking judicial review of the Commissioner's final decision denying his applications for benefits under the Social Security Act. The matter was referred to United States Magistrate Judge Shon T. Erwin in accordance with General Order 16-4. On March 30, 2022, Magistrate Judge Erwin issued a Report and Recommendation, recommending that the Commissioner's decision be affirmed.


Neither party has objected to the Report and Recommendation within the time prescribed by Magistrate Judge Erwin.<sup>1</sup> And no request for an extension of time to file an objection has been sought. Consequently, the parties have waived their right to appellate review of the factual and legal determinations. Vega v. Suthers, 195 F.3d 573, 579 (10<sup>th</sup> Cir. 1999); United States v. One Parcel of Real Property, 73 F.3d 1057, 1059, 1061 (10<sup>th</sup> Cir. 1996).

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<sup>1</sup> Magistrate Judge Erwin apprised the parties of their right to file specific written objections to the Report and Recommendation by April 13, 2022 and further apprised that failure to make timely objection waives the right to appellate review.

Accordingly, the Report and Recommendation issued by United States Magistrate Judge Shon T. Erwin (doc. no. 22) is **ACCEPTED, ADOPTED** and **AFFIRMED**. The decision of defendant, Kilolo Kijakazi, Acting Commissioner of the Social Security Administration, denying plaintiff, Donnie Zimmerman's applications for benefits under the Social Security Act is **AFFIRMED**. A separate judgment shall be issued.

IT IS SO ORDERED this 14<sup>th</sup> day of April, 2022.

  
STEPHEN P. FRIOT  
UNITED STATES DISTRICT JUDGE

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